

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Benjamin Mario Soto,

Civil No. 13-2191 (DWF/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

State of Minnesota 2nd Judicial District
Special Courts Division Domestic Abuse &
Harassment Office Case No. 62DAFA11104, et al.,
and State of Minnesota Supreme and
Appellate Courts Case: A13-0522, et al.,

Defendants.

This matter is before the Court upon Plaintiff Benjamin Mario Soto's ("Plaintiff") objections (Doc. Nos. 14 & 27) to Magistrate Judge Steven E. Rau's October 10, 2013 Report and Recommendation (Doc. No. 12) insofar as it recommends that this action be summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Having carefully reviewed the record, the Court concludes that Plaintiff's objections offer no basis for departure from the Report and Recommendation. Plaintiff appears to generally object to various state family court proceedings against him. (*See*

generally Doc. No. 14.) The Court concludes, as did Magistrate Judge Rau, that Plaintiff's Complaint fails to state a claim on which relief may be granted. Plaintiff has not alleged any facts that would support a cognizable claim. Consequently, the Court adopts the Report and Recommendation of the Magistrate and summarily dismisses this case pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Benjamin Mario Soto's objections (Doc. Nos. [14] & [27]) to Magistrate Judge Steven E. Rau's October 10, 2013 Report and Recommendation are **OVERRULED**.

2. Magistrate Judge Steven E. Rau's October 10, 2013 Report and Recommendation (Doc. No. [12]) is **ADOPTED**.

3. This action is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

4. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED AS MOOT**.

5. Plaintiff's "Motion to Request Proceeding with Only One Filing to the U.S. District Court District of Minnesota" (Doc. No. [4]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 28, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge